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**JAN 17 2006**

In re Application of  
Phillip King Parell, et al.  
Application No. 10/084,895  
Filed: February 28, 2002  
Attorney Docket No. 581

**OFFICE OF PETITIONS**  
**ON PETITION**

This is a decision on the petition under 37 CFR 1.137(b), filed October 27, 2005, to revive the above-identified application.

The petition is **GRANTED**.

A Notice of Non-Compliance was mailed on September 8, 2004. The Notice indicated that the Amendment filed June 15, 2004 was considered non-compliant because it has failed to meet the requirements of 37 CFR 1.121, as amended on June 30, 2003 (see 68 Fed. Reg. 38611, June 30, 2003). Petitioner was given a time period of one (1) month or thirty (30) days from the mailing date of the notice, whichever is longer, within which to supply the omission or correction in order to avoid abandonment of the application. Accordingly, the application became abandoned at midnight on October 8, 2004.

The petition satisfies the conditions for revival pursuant to the provisions of 37 CFR 1.137 (b) in that (1) the reply in the form of an Amendment; (2) the petition fee; (3) the required statement of unintentional delay have been received. Accordingly, the petition filed October 27, 2005 is accepted as having been unintentionally delayed.

Telephone inquiries concerning this decision should be directed to the undersigned at (571) 272-3229.

The application matter is being referred to Technology Center 3700, Art Unit 3726 for further processing.

Retta Williams  
Petitions Examiner  
Office of Petitions